

Docket No. 241574US26

IN RE APPLICATION OF: David J. PRESKAR, et al.

SERIAL NO: 10/716,555

FILED: November 20, 2003

FOR: CUSHIONING ASSEMBLY IN AN ATHLETIC STORE



AF  
JFW  
"RESPONSE UNDER 37 CFR 1.116-  
EXPEDITED PROCEDURE EXAMINING  
GROUP 3728"

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required

☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.

☐ Additional documents filed herewith:

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	34	MINUS	37	0	x \$50 =	\$0.00
INDEPENDENT	4	MINUS	4	0	x \$200 =	\$0.00
APPLICATION SIZE		MINUS	100	0 (each addtl. 50 sheets)	x \$250 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$360 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		TOTAL				\$0.00

☐ A check in the amount of \$0.00 is attached.

☐ Credit card payment form is attached to cover the fees in the amount of \$0.00

☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Steven P. Weihrouh  
Registration No. 32,829

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)

Edward Tracy  
Registration No. 47,998

DOCKET NO: 241574US26



"RESPONSE UNDER 37 CFR 1.116-  
EXPEDITED PROCEDURE EXAMINING  
GROUP 3728"

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
DAVID J. PRESKAR, ET AL. : EXAMINER: STASHICK, A.  
SERIAL NO: 10/716,555 :  
FILED: NOVEMBER 20, 2003 : GROUP ART UNIT: 3728  
FOR: CUSHIONING ASSEMBLY IN AN :  
ATHLETIC STORE

AMENDMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated December 1, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.